

REMARKS

Responsive to the Official Action made final, mailed June 18, 2002 in which the Examiner has rejected pending claims 14-17 and 27-30, applicant respectfully requests entry of the present Request for Continued Examination and Amendment F and allowance of claims 14-17 and 27-30 in view of the following amendments and remarks.

First, as to the Examiner's rejection of claims 27-30 under 35 USC §112, first paragraph, although applicant strongly disagrees with the Examiner's position, applicant has amended claim 27 to delete the reference to "non-scored crease lines" in an effort to obviate this issue and address the substantive matters at hand. Applicant respectfully requests entry of this amendment and withdrawal of the §112 rejection.

As to the substantive, art-based rejections, essentially, the gist of the Examiner's argument is that although Zinn fails to disclose panels (i.e., the blank and liner) that are coextensive with one another, it would have been obvious to one of ordinary skill to do so, and the motivation for such a modification is "because it would make manufacturing the carton faster and insure that the entire carton is liner." (Applicant assumes that liner should read lined.) The Examiner has taken the position that Applicant has failed to provide reasons why this motivation to modify the invention is not obvious and states further that there is no requirement that the motivation to make the modification be expressly articulated.

As to the rejection of the claims over Zinn in view of Skjelby, it is the Examiner's position that it would have been obvious to one of skill in the art to add the adhesive material of Skjelby to the crease line of Zinn to help the liner more easily separate from the cardboard blank at the corners. Again, the Examiner insists that Applicant has failed to provide reasons why this motivation to modify the invention is not obvious or why, specifically, the references cannot be modified.

Applicant has amended independent claims 14 and 27 to indicate that the subject matter includes inner and outer liquid tight coatings on the first and second layers. It is applicant's position that the art of record, and specifically the Zinn patent does not disclose this specific structure.

Applicant further submits that the disclosure fully supports the inclusion of the inner and outer liquid-tight coatings. For example, in the Background section of the specification,

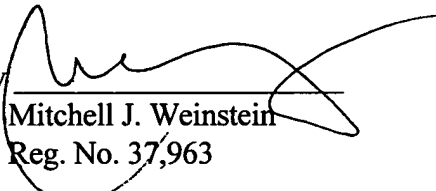
disposable packages are discussed, and reference is made to "liquid-tight coatings of plastic on both sides of the core layer." (Page 1, lines 19-20.) Further support is provided with respect to a method for laminating layer to one another in which it is stated that "[t]his presupposes that the layers are thermosealable or are provided with thermosealable outer layers." One such identified material is polyethylene, a known liquid-tight packaging material.

To this end, applicant submits that pending claims 14-17 and 27-30 are allowable over the art of record and respectfully solicits early indication of same. By this amendment, applicant has made an earnest effort to bring prosecution of the present application to close by putting the claims in condition for allowance. Applicant requests that, should the examiner wish to discuss any outstanding matters, whether formal or substantive, the undersigned be contacted to discuss any such outstanding matters.

A check in the amount of \$1660.00 is enclosed for the fee associated with the present Request for Continued Examination (\$760.00) and for a three-month extension of time to respond (\$920.00). Applicant requests that this paper constitute the necessary Petition for Extension of Time to Respond. The Commissioner is hereby authorized to charge any under-payment or credit any over-payment to Deposit Account No. 23-0920. Should any further Petition be necessary, it is requested that the present paper constitute such Petition.

Respectfully submitted,

By


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CLAIM MARKED UP TO INDICATE CHANGES

14. (Amended) A packaging laminate comprising:

a first layer;

a second layer bonded to the first layer having a first bond strength, the first and second layers being coextensive with one another;

a plurality of linear fold regions, each fold region overlying and defining a corresponding crease line of the packaging laminate, the plurality of linear fold regions having a bond strength less than the first bond strength, wherein when the laminate is folded at the crease lines, the first and second layers separate from one another; and

a liquid-tight coating disposed on the first layer outwardly of the second layer and a liquid-tight coating disposed on the second layer outwardly of the first layer.

27. (Amended) A packaging container [having non-scored crease lines, the packaging container] comprising:

a first layer having a first plurality of linear fold regions, each linear fold region defining a corresponding crease line of the packaging container, the first layer also having a first plurality of non-fold regions; [and]

a second layer coextensive with the first layer, the second layer having a second plurality of linear fold regions, each of the linear fold regions defining a corresponding crease line of the packaging container, the second layer also having a second plurality of non-fold regions,

the first layer first plurality of non-fold regions being bonded to the second layer second plurality of non-fold regions at a first bond strength greater than a bond strength of the first layer first plurality of linear fold regions and the second layer second plurality of linear fold regions, wherein when the bonded first and second layers are folded at the crease lines, the first and second layers separate from one another at the liner fold regions; and

a liquid-tight coating disposed on the first layer outwardly of the second layer and a liquid-tight coating disposed on the second layer outwardly of the first layer.

CLEAN SET OF ALL PENDING CLAIMS
FOLLOWING ENTRY OF THE PRESENT AMENDMENT

14. A packaging laminate comprising:
a first layer;
a second layer bonded to the first layer having a first bond strength, the first and second layers being coextensive with one another;
a plurality of linear fold regions, each fold region overlying and defining a corresponding crease line of the packaging laminate, the plurality of linear fold regions having a bond strength less than the first bond strength, wherein when the laminate is folded at the crease lines, the first and second layers separate from one another; and
a liquid-tight coating disposed on the first layer outwardly of the second layer and a liquid-tight coating disposed on the second layer outwardly of the first layer.
15. The packaging laminate according to claim 14 wherein the linear fold regions are treated with an adhesion counter-acting agent.
16. The packaging laminate according to claim 14 wherein the non-fold regions are treated with an adhesion agent.
17. The packaging laminate according to claim 14 wherein the first layer is paperboard and the second layer is selected from the group consisting of aluminum or a greaseproof paper.
27. A packaging container comprising:
a first layer having a first plurality of linear fold regions, each linear fold region defining a corresponding crease line of the packaging container, the first layer also having a first plurality of non-fold regions;
a second layer coextensive with the first layer, the second layer having a second plurality of linear fold regions, each of the linear fold regions defining a corresponding crease line of the packaging container, the second layer also having a second plurality of non-fold regions,

the first layer first plurality of non-fold regions being bonded to the second layer second plurality of non-fold regions at a first bond strength greater than a bond strength of the first layer first plurality of linear fold regions and the second layer second plurality of linear fold regions, wherein when the bonded first and second layers are folded at the crease lines, the first and second layers separate from one another at the linear fold regions; and

a liquid-tight coating disposed on the first layer outwardly of the second layer and a liquid-tight coating disposed on the second layer outwardly of the first layer.

28. The packaging container according to claim 27 wherein the non-fold regions of at least one of the first and second layers is darkened relative to the linear fold regions.

29. The packaging container according to claim 27 further comprising an adhesion counteracting agent applied to at least one of the plurality of linear fold regions.

30. The packaging container according to claim 27 further comprising an adhesion agent applied to at least one of the non-fold regions of the packaging container.